

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE**

DELOISE HENDERSON-THOMPSON,

Plaintiff,

**Case No.: 2:22-cv-2013
JURY DEMANDED**

v.

**GEORGE J. JARDOIN, and
UPS GROUND FREIGHT, INC.**

Defendants.

NOTICE OF REMOVAL

The removing Defendant, UPS Ground Freight, pursuant to 28 U.S.C. §1332, 1441, and 1446 (d), by and through its counsel of record, Glassman, Wyatt, Tuttle & Cox, P.C., hereby files this Notice of Removal of the above Civil Action from the Circuit Court of Shelby County, Tennessee, Civil Division, and as basis for said removal would show as follows:

(1) Removing Defendant, UPS Ground Freight, Inc., is a named Defendant in the above titled action. This matter was initially filed in the Circuit Court of Shelby County, Tennessee, Civil Division under Case No: CT-4729-21, on December 14, 2021, under Docket No. CT-4729-21. A copy of the original Complaint filed in the Circuit Court of Shelby County, Tennessee, Civil Division, along with the Summons is attached to this Notice of Removal as **Exhibit A**.

(2) On or about December 14, 2021, the Defendant, UPS Ground Freight, Inc., received the Summons and a copy of the Complaint via Registered Agent. Thus, removal of this action is timely filed. See 28 U.S.C §1446 (b).

(3) The amount of controversy, exclusive of interest and cost, allegedly exceeds the sum of Seventy-Five Thousand Dollars (\$75,000.00).

(4) The Plaintiff, Deloise Henderson-Thompson, according to Plaintiff's Complaint was a resident of Shelby County, Tennessee at the time the lawsuit was filed.

(5) According to Plaintiffs' Complaint Defendant UPS Ground Freight, Inc. is a corporation with its principal place of business located at 100 Semmes Avenue Richmond, Virginia.

(6) This action is a Civil Action for personal injuries and damages as a result of an automobile accident that occurred on December 16, 2020.

(7) The Court has original jurisdiction of this action pursuant to 28 U.S.C § 1332 (a)(1) and (c) as the amount in controversy allegedly exceeds the sum of Seventy-Five Thousand Dollars (\$75,000.00) exclusive of interest and cost.

(8) Because complete diversity exists between Plaintiff and Defendant at the time Plaintiff commenced this action in State Court and exists as of the time of the filing of this Notice of Removal and the matter in controversy exceeds the sum of Seventy-Five Thousand Dollars (\$75,000.00) exclusive of interest and cost, this court as original jurisdiction over this action as defined in 28 U.S.C § 1332 (a)(1).

(9) This Notice of Removal is being filed with this Court within 30 days of the service on the removing Defendant UPS Ground Freight, Inc.

(10) As required by 28 U.S.C §1446 (d), written notice of the filing of this Notice will be given to all parties and a true and correct copy of this Notice will be filed with the Circuit Court of Shelby County, Tennessee, Civil Division, thereby effectuating removal of this action to this court.

WHEREFORE, UPS Ground Freight, Inc., request that the above styled action be removed from the Circuit Court of Shelby County, Tennessee, Civil Division under Case No: CT-4729-21 to the United States District Court for the Western District of Tennessee.

Respectfully Submitted By,

s/ Robert A. Cox

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Attorneys for Defendant UPS Ground Freight, Inc.

Our File No.: 21-396

CERTIFICATE OF SERVICE

A true and correct copy of the foregoing pleading has been properly served, via Email and/or United States Mail, postage prepaid upon the following:

Timothy Buxton

1991 Corporate Avenue, Suite 310

Memphis, TN 38132

Tim.buxton@beyourvoice.com

On this the 11th day of January, 2022.

s/ Robert A. Cox

ROBERT A. COX, Esquire